

Article - Family Law

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§5–714.

(a) The Social Services Administration may maintain a centralized confidential database of cases reported under this subtitle.

(b) Each local department shall enter and have access to information in the centralized confidential database related to reports, investigations, and assessments of suspected abuse or neglect.

(c) The information in the centralized confidential database shall be accessible only to:

- (1) the protective services staff of the Administration;
- (2) the protective services staffs of local departments who are investigating or assessing a report of suspected abuse or neglect; and
- (3) an individual or entity specifically authorized by law to access the information.

(d) The Department or a local department may identify an individual as responsible for abuse or neglect in the centralized confidential database only if the individual:

- (1) has been found guilty of any criminal charge arising out of the alleged abuse or neglect; or
- (2) has been found responsible for indicated abuse or neglect and has:
 - (i) unsuccessfully appealed the finding in accordance with the procedures established under § 5–706.1 of this subtitle; or
 - (ii) failed to exercise the individual's appeal rights within the time frames specified in § 5–706.1 of this subtitle, Title 10, Subtitle 2 of the State Government Article, or the Maryland Rules.

(e) The centralized confidential database may not contain any information that is required to be expunged under § 5–707 of this subtitle.

(f) (1) Unless an individual has been identified as responsible for abuse or neglect in the centralized confidential database in accordance with subsection (d) of this section, information in the centralized confidential database may not be provided in response to any request for background information for employment or voluntary service.

(2) An official or employee of the Department or a local department who releases information from the centralized confidential database in violation of paragraph (1) of this subsection is subject to the penalty provided in § 1–202(f) of the Human Services Article.

(g) Notwithstanding any other provision of law, an individual may not be identified as responsible for abuse or neglect in the centralized confidential database solely because:

(1) a child has been released from a hospital or other facility;

(2) the child has been diagnosed with a mental disorder or developmental disability; and

(3) the individual has failed to take the child home due to a reasonable fear for the safety of the child or child's family.

(h) The Secretary of Human Services:

(1) shall adopt regulations necessary to protect the rights of individuals suspected of abuse or neglect; and

(2) may adopt regulations to implement the provisions of this section.

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